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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Albrecht E. Sippel

Examiner: Daniel C. Gamett

Serial No.: 09/869,595

Group Art Unit: 1647

Filed: June 7, 2002

Title: METHOD FOR THE CELLULAR HIGH-THROUGHPUT-DETECTION OF
NUCLEAR RECEPTOR LIGAND INTERACTIONS

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement dated October 5, 2004, Applicants hereby elect with traverse Group 1, Claims 1-43, 61-63, 67-70, 72, and 73 drawn to fusion proteins, DNA encoding said fusion proteins, expression vectors comprising said DNA, cells comprising said expression vectors, and assays.

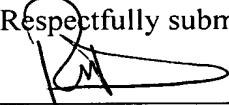
All the claims in the application involve related subject matter, e.g., a fusion protein comprising the recited domains. A search would therefore comprise overlapping subject matter, and it would not be an undue burden on the examiner to carry out a search. "If search and examination of an entire application can be made without serious burden, the examiner *must* examine it on the merits, even though it includes claims to independent or distinct invention." (Emphasis added.) M.P.E.P. 803. Accordingly, withdrawal of the restriction is respectfully requested.

Further species elections are: steroid receptor (a) for the second domain; constitutively active ras protein with (1) ras derived amino acid sequence for the third domain; and (n) activate transcription factors for genes which are not essential for cell reproduction or expression of a

reporter gene for the endpoint species.

No fee is believed to be due with this response, however, the Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,


Richard M. Lebovitz, Reg. No. 37,067
Attorney for Applicant(s)

MILLEN, WHITE, ZELANO
& BRANIGAN, P.C.
Arlington Courthouse Plaza 1, Suite 1400
2200 Clarendon Boulevard
Arlington, Virginia 22201
Telephone: (703) 243-6333
Facsimile: (703) 243-6410

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